

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

ASTRAZENECA AB, AKTIEBOLAGET  
HÄSSLE, ASTRAZENECA LP, KBI INC.,  
and KBI-E INC.,

Plaintiffs and  
Counterclaim-Defendants,  
v.

HANMI USA, INC., HANMI  
PHARMACEUTICAL CO., LTD., HANMI  
FINE CHEMICAL CO., LTD, and HANMI  
HOLDINGS CO., LTD.,

Defendants and  
Counterclaim-Plaintiffs.

Civil Action No. 3:11-CV-00760-JAP-TJB

Judge Joel A. Pisano  
Magistrate Judge Tonianne J. Bongiovanni

**DECLARATION OF PATRICK L. CHEN IN SUPPORT  
OF PLAINTIFFS' BRIEF IN SUPPORT OF THEIR MOTION TO PRECLUDE  
DEFENDANTS' EXPERT DR. ATWOOD FROM RELYING ON  
EVIDENCE FIRST IDENTIFIED IN HIS REPLY EXPERT REPORT  
(*i.e.*, TEST REPORTS AND OPINIONS OF DRs. KIRSCHNING AND  
HORNCHEN AND PROF. BRAUN) FOR WHICH DISCOVERY IS UNAVAILABLE**

I, Patrick L. Chen, hereby declare as follows,

1. I am an associate at the law firm of Fitzpatrick, Cella, Harper & Scinto, 1290 Avenue of the Americas, New York, New York 10104-3800, counsel for Plaintiffs AstraZeneca AB, Aktiebolaget Hässle, AstraZeneca LP, KBI Inc., and KBI-E Inc. in connection with the present action.

2. I make this Declaration on my personal knowledge in support of Plaintiffs' Motion *in Limine* to Preclude Defendants' Expert Dr. Jerry Atwood from Relying on Evidence First Identified in His Reply Expert Report (*i.e.*, Test Reports and Opinions of Drs. Kirschning and Hornchen and Prof. Braun) for Which Discovery is Unavailable.

3. Attached as Exhibit 1 is a true and correct copy of excerpts from the transcript of

the April 26, 2013 deposition of Jerry L Atwood, Ph.D.


4. Attached as Exhibit 2 is a true and correct copy of the March 25, 2013 Rebuttal Report of Stephen G. Davies, D.Phil. on Validity.

5. Attached as Exhibit 3 is a true and correct copy of the April 8, 2013 Reply Expert Report of Jerry L. Atwood, Ph.D.

6. Attached as Exhibit 4 is a true and correct copy of the April 17, 2013 Sur-Reply Expert Report of Stephen G. Davies, D.Phil. Concerning Validity.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: April 29, 2013



Patrick L. Chen